

Message Text

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ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09

TRSE-00 FEA-01 ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 H-02 INR-07 INT-05

JUSE-00 L-02 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-03 PRS-01 SP-02 SS-15 /137 W

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C O N F I D E N T I A L GENEVA 2316

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: CLASSIFIED LOS WEEKLY SUMMARY FOR D/LOS, ENDING APRIL 2, 1975

FROM USDEL LOS

1. SUMMARY: FOCUS OF WEEK'S EFFORTS WERE IN INFORMAL DISCUSSIONS IN COMMITTEE I ON JOINT VENTURES, AND IN THE EVENSEN GROUP WHICH CONTINUED DRAFTING ON FISHERIES. CONFERENCE OTHERWISE IS ESSENTIALLY MARKING TIME AND MOOD IS DIFFICULT TO ASSESS. RECEPTION GIVEN TO CIRCULATION OF EVENSEN ARTICLES IN C-II NEXT WEEK SHOULD BE KEY TO PACE OF REMAINING WEEKS. CONFERENCE PRESIDENT AMERASINGHE HELD FIRST MEETING OF HIS NEGOTIATING GROUP CONSISTING OF CHAIRMEN OF REGIONAL GROUPS (INCLUDING US) AND OF INFORMAL GROUPS. DURING MEETING, GALINDO-POHL EXPRESSED OPTIMISM ON PRODUCING A COMMITTEE II PACKAGE. IN COMMITTEE II
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SESSIONS, DISCUSSIONS OF MAIN TRENDS PAPER CONTINUED WITH

PROGRESS ON SOME TECHNICAL MATTERS SUCH AS BASELINES.
IN COMMITTEE III, AS IN COMMITTEE II, MAIN ISSUES ARE
BEING DISCUSSED IN EVENSEN GROUP WHICH IS EXPECTED
TO TAKE UP MARINE POLLUTION ARTICLES NEXT WEEK. END
SUMMARY.

2. COMMITTEE I.

(A) C-I HAS HELD NUMEROUS MEETINGS SINCE LAST
SUMMARY REPORT IN THE FORM OF PRIVATE CONSULTATIVE
GROUPS AND IN THE FORMAL WORKING GROUP. DISCUSSIONS
HAVE INCREASINGLY FOCUSED ON OPERATIONAL ASPECTS OF
JOINT VENTURE SYSTEM. LDC WILLINGNESS TO CONTINUE
DISCUSSIONS ON THIS BASIS FOLLOWING CONFRONTATION
TONE OF LAST WEEK'S WG DEBATE IS ENCOURAGING.
POSSIBILITY OF PARALLEL SYSTEM THAT INCLUDES JOINT
VENTURES AS WELL AS DIRECT EXPLOITATION BY AUTHORITY
IN RESERVED AREAS IS FREQUENTLY RAISED BY MODERATE
LDC'S WHO AT CARACAS SESSION STRICTLY ADHERED TO
GROUP OF 77 POSITION.

(B) WITH MINOR EXCEPTIONS, CONSULTATIONS HAVE BEEN
RESTRICTED TO BASIC CONDITIONS AND WG CHAIRMAN (PINTO)
IS EXPECTED TO CIRCULATE NEW PERSONAL DRAFT IN NEXT
FEW DAYS WHICH HE IS CHARACTERIZING AS COMPROMISE
BASIC CONDITIONS. REGULAR CONSULTATIONS AMONG SMALL
NUMBER OF KEY DELS IN WHICH US PARTICIPATED LAST
WEEK HAVE NOW BEEN EXPANDED TO INCLUDE AROUND 30 DELS.
WHILE NEW GROUP IS MORE UNWIELDY, BELIEVE IT OFFERS
BETTER OPPORTUNITY FOR DIRECT CONTACT BETWEEN US AND
MODERATE LDC'S IN NEGOTIATING SITUATION.
ARRANGEMENTS ARE BEING MADE FOR CONTINUATION OF
SMALLER GROUP DISCUSSION CONSISTING OF C-I
LEADERSHIP.

(C) MEETING OF GROUP OF FIVE REVEALED BASIC C-I
NEGOTIATING POSITIONS WHICH GENERALLY TRACK OUR OWN,
ALTHOUGH JAPANESE APPEAR TO HAVE GREATER FLEXIBILITY
AND SOVIETS CONTINUE TO BELIEVE CLASSICAL PARALLEL
SYSTEM BEST PROTECTS ACCESS FOR SOCIALIST STATES. KEY

DIFFICULTY APPEARS TO BE TIMING PERSPECTIVE OF OTHER
FOUR DELS WHO SEEM RESIGNED TO EXTENSION OF CONFERENCE
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BEYOND EARLY 1976. ANTICIPATE THIS MAY RESULT IN
SOME FRICTION IF NEGOTIATION BEGINS TO MOVE QUICKLY ON
BASIC CONDITIONS AND US PLAYS LEADERSHIP ROLE.
EM COMMITTEE II.

(A) SMALL GROUP CONSISTING OF REPS FROM US, CANADA,
UK, NICARAGUA, BANGLADESH, AND NORWAY CONSIDERED CON-
SOLIDATED SINGLE TEXT ON BASELINES. US PREPARED THESE PROVISIONS OF
4-20 OF MAIN TRENDS (PAPER SENT SEPTTEL). THIS INFORMAL

CONSOLIDATED TEXT EXPECTED TO BE DISCUSSED IN NEXT FEW DAYS BY LARGER WORKING GROUP ESTABLISHED IN C-II TO CONSIDER BASELINES. CONSOLIDATED ARTICLES ARE FIRST TO EMERGE FROM WORKING GROUP IN C-II AND HOPEFULLY WILL SET PRECEDENT FOR WORK METHOD THAT WILL FACILITATE DEVELOPMENT OF AGREED TEXTS. US INITIATIVE IN PREPARING PAPERS WAS WELCOMED, AND INDEED WHEN CHAIRMAN HAD TO LEAVE FOR ANOTHER MEETING, DEPARTMENT OF STATE GEOGRAPHER (HODGSON) WAS SELECTED CHAIRMAN OF GROUP BY ACCLAMATION. PAPER SHOULD BE PRESENTED AS COLLECTIVE SUB-WORKING GROUP PRODUCT. NEW PROVISION 5 IN TEXT IS DESIGNED TO ACCOMMODATE BANGLADESH, AND TO REPLACE OBJECTIONABLE BANGLADESH PROPOSAL IN PROVISION 9 OF MAIN TRENDS PAPER.

(B) US CONTINUED TO HOLD SERIES OF BILATERAL DISCUSSIONS WITH VARIOUS DELEGATIONS TO ATTEMPT TO REDUCE DIFFERENCES ON STRAITS, FISHERIES, AND CONTINENTAL MARGIN ISSUES.

(C) EVENSEN GROUP CONTINUED DAILY SESSIONS, AND ON 2 APRIL COMPLETED DEBATE ON FISHERIES ARTICLES AS WELL AS ARTICLE 18 (RIGHTS OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES). REVISED TEXTS OF FISHERIES ARTICLES HAVE BEEN CIRCULATED BUT NOT DISCUSSED. REVISED INTRODUCTORY ARTICLES ON ECONOMIC ZONE (TRANSMITTED SEPTEL) HAVE BEEN CIRCULATED AND DISCUSSION BEGUN. RESULTS OF FIRST DAY SOMEWHAT DISAPPOINTING WITH PERU ATTEMPTING TO MODIFY ARTICLES AND CHANGE BALANCE OF ARTICLES. DISCUSSION WILL CONTINUE. EVENSEN OBVIOUSLY ATTEMPTING TO MOVE NEGOTIATIONS FORWARD AS RAPIDLY AS POSSIBLE AND IS UNDER MOUNTING PRESSURE TO SURFACE WORK PRODUCT AS SOON AS POSSIBLE. PROBLEM AREAS WOULD APPEAR TO BE: 1) WHETHER DELICATE BALANCE IN ARTICLES 1-3 CAN BE RETAINED;
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2) HOW BEST TO PRESENT ARTICLES TO CONFERENCE AS A WHOLE IN ORDER TO AVOID REOPENING CONTENTIOUS ISSUES; AND 3) ABILITY TO TIME A SUITABLE ACCOMMODATION WHICH WILL SATISFY DESIRES OF LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATE BLOC.

4. COMMITTEE III.

(A) POLLUTION. EVENSEN GROUP WILL LIKELY TURN TO POLLUTION ON MONDAY, APRIL 7. USDEL REDRAFTED EVENSEN POLLUTION TEXT TO SET FORTH ALTERNATIVES ON

VESSELS AND DOUBLE STANDARD MORE FAIRLY. REDRAFTED TEXT GIVEN TO EVENSEN ON APRIL 2, BUT AS YET THERE IS NO INDICATION OF HIS WILLINGNESS TO ACCEPT CHANGES.

US TEAM MET WITH SOVIETS APRIL 2 TO DISCUSS VESSEL
SOURCE POLLUTION IN VULNERABLE AREAS. SOVIETS
INDICATED SOME FLEXIBILITY ON DEFINITION BUT EX-
PRESSED STRONG CONCERNS REGARDING INTERNATIONAL REVIEW

OF SOVIET REGULATIONS FOR ARCTIC. US ENVIRONMENTAL
IMPACT ASSESSMENT PROPOSAL HAS BEEN DEFERRED TO ALLOW

SOVIETS TIME TO CONSIDER IT. PRIVATE REACTIONS OF
OTHER DELEGATIONS, INCLUDING INDIA, EGYPT, SINGAPORE
CANADA, AND AUSTRALIA, HAVE BEEN GENERALLY FAVORABLE.

CONFIDENTIAL SMALL NEGOTIATING GROUP CHAIRED BY
CHAIRMAN VALLARTA MET APRIL 1 TO CONSIDER LANDBASED

SOURCES. DISCUSSION INCONCLUSIVE IN TERMS OF TEXT,
BUT CONSENSUS EMERGED THAT THERE SHOULD BE OBLIGATION

TO ESTABLISH NATIONAL REGULATIONS, TAKE OTHER NECESSARY
MEASURES AND TAKE INTERNATIONAL REGULATIONS INTO ACCOUNT.
(B) MARINE SCIENTIFIC RESEARCH. SOVIETS HAVE

INFORMED US THAT THEY HAVE MODIFIED THEIR POSITION
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ON CONSENT FOR CONTINENTAL SHELF RESEARCH. THUS,
SHELF RESEARCH WOULD BE TREATED LIKE RESEARCH IN
WATER COLUMN, I.E., RESEARCH DIRECTLY RELATED TO
EXPLORATION AND EXPLOITATION OF RESOURCES WOULD BE

SUBJECT TO CONSENT WHILE RESEARCH NOT DIRECTLY
RELATED TO RESOURCES WOULD BE SUBJECT TO AN OBLIGATION
REGIME SIMILAR TO OUR PROPOSAL. CANADA HAS
INFORMALLY CIRCULATED A PROPOSAL ESSENTIALLY PROVIDING

THAT CONSENT SHALL NOT NORMALLY BE WITHHELD. AFTER
WE REACTED NEGATIVELY TO THEIR PROPOSAL, CANADA

ASKED IF A PROVISION WOULD BE HELPFUL THAT PROVIDED
THAT CONSENT WOULD BE PRESUMED IF NO RESPONSE WERE
RECEIVED WITHIN A STATED PERIOD. TANZANIA ALSO
RAISED THIS IDEA OF IMPLIED CONSENT. IN ADDITION,
TANZANIA INDICATED THAT CONSENT SHOULD BE REQUIRED

FOR SHELF RESEARCH AND THAT IT WAS POSSIBLE TO

ELABORATE A MORE LIBERAL REGIME FOR THE WATER COLUMN.
GROUP 77 CONTINUES TO PRESSURE LANDLOCKED AND
GEOGRAPHICALLY DISADVANTAGED STATES TO WITHDRAW
SUPPORT FROM L.19. PRESSURE IS BEING RESISTED BY
SOME STATES. DALE

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